 <b>Internal Case Management System Worksheet - Case Closing</b>					<b>Top Allegation</b> OFFICIAL STATEMENT - MISLEADING STATEMENT - PG		<b>Group</b> G22-GROUP 22 <b>Date of This Report</b> 12/28/2017	
<b>Date Reported</b> 09/20/2016	<b>Date Assigned</b> 09/20/2016	<b>IAB Log No.</b> 2016-33364	<b>Case No.</b> (G22) C-2016-601	<b>Folder Type</b> CORRUPTION	<b>Preliminary Case Type</b> CORRUPTION	<b>Follow-Up No.</b>	<b>Worksheet Tracking No.</b> 2546722	

<b>Topic/Subject</b> (Case Closing) CASE CLOSING (PARTIALLY SUBSTANTIATED)	<b>Activity Date</b> 12/28/2017	<b>Activity Time</b> 00:00
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<b>Referred to Group</b> -	<b>Conferred With</b>	<b>Next Review Date</b>
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**Closing Statement**

Case #:  
C-2016-601

Log #:  
2016-33364  
2017-51038

Subject Officer:  
Police Officer Victor Villacis, Tax #959014, Brooklyn Court Section  
Date of Appointment: 07/08/2015  
Probation: Yes  
Current Duty Status: Resigned (Modified since 9/19/2016)

Date Case Received:  
September 24, 2016

Date of Occurrence:  
August 18, 2016

Administrative Statute of Limitations Expires:  
February 18, 2018

Classification:  
C2, Non-Steering

Investigator:  
Sergeant Edward Ho, Tax #944270

Team Leader:  
Lieutenant Michael Inserra, Tax #922535

Overall Case Disposition:  
Partially Substantiated

Details:  
2016-33364  
Police Officer Victor Villacis was arrested and suspended on August 18, 2016. He was subsequently placed on modified assignment and transferred from the 45th Precinct to Brooklyn Court Section. The arrest was assigned IAB log #16-29442 and investigated by Bronx Investigations. The assault stemmed from a domestic dispute at a hotel in Queens, New York, where the subject officer quarreled with his [REDACTED].

During an interview with a Department psychologist, [REDACTED] stated that the dispute occurred because Officer Villacis was apparently communicating with escorts. She provided photos of text messages and an e-mail, all of which showed conversations with escorts.

2017-51038  
On December 26, 2017, Charges and Specifications were preferred for the allegations of Computer Misuse and Making Misleading Statements in an Official Interview.

Identification and Interview of Complainant:  
The complainant, [REDACTED] known to the department under NYSID# [REDACTED] F/H/38yo, who resides at [REDACTED]

[REDACTED] was interviewed by investigators. [REDACTED] stated that she and her [REDACTED] had been celebrating at the Corona Hotel when she confronted him regarding suspicious text messages she saw on his phone. She showed investigators text messages which offered women for \$100, and also of Officer Villacis requesting more information regarding the women. The messages came from numbers and e-mails which when searched in Google, returned advertisements for escorts.

[REDACTED]

#### Identification and Interview of Witness:

CONFIDENTIAL INFORMANT - Investigators interviewed a confidential informant, produced by the NYPD Vice Enforcement Division. This person, who is referred to as [REDACTED] She had numerous contact with the subject officer, as shown in phone records. However, she did not identify Officer Villacis in a photo array nor did she identify his vehicle.

Canvass:

N/A

#### Identification of Subject Officer:

Officer Villacis was married to [REDACTED]

#### Review of Department Records:

[REDACTED]

#### Computer and Related Background Checks:

PEPR/IAPRO/ICIS/CCRB - Police Officer Villacis was appointed on 07/08/2015 and assigned to the 45th Precinct on 12/30/15. He had no CCRB or IAPRO history. [REDACTED]

[REDACTED] In addition, the subject officer had charges and specifications pending in regards to log 2016-28294. This log concerns an incident on August 5, 2016, where the subject officer failed to investigate a domestic assault while on patrol in the 45th Precinct. In addition, he failed to make a radio transmission to dispose of this assault radio run.

[REDACTED]

ENFORCER - An enforcer check did not reveal any misconduct.

OMNI Audit - The subject officer did access Department records without authorization. On 02/10/17 he viewed complaint [REDACTED] [REDACTED] On 10/3/16 he viewed complaint [REDACTED] where he was the listed defendant. And finally on 12/13/16, the subject officer searched for himself and [REDACTED] within BADS without reason to do so.

DASLITE AUDIT - The subject officer searched for [REDACTED] s' boyfriend, [REDACTED] and his [REDACTED] on 2/5/16 and 2/10/16. These queries fall outside of the 18 month administrative statute of limitations and will be addressed with a letter of instruction.

WEB BROWSER AUDIT - Officer Villacis accessed personal e-mail websites on 11/14/16 and 11/19/16. In addition, he visited numerous websites for employment opportunities outside of the Department during the month of November 2016.

THREADS - This analysis by Group 7 showed there was consistent contact between the subject and numerous phone numbers associated with escort services. Phone records were obtained for the period prior to the subject s arrest and separation from [REDACTED] as well as for the period after this separation. The records showed that the subject did call escorts while with [REDACTED] as well as after he was separated.

GOOGLE - a public internet search linked numerous phone numbers within the subject s phone records to escort and prostitution services. A search for the e-mail address, [REDACTED] also showed it was linked to an advertisement for escort services. This e-mail address was provided by [REDACTED] as evidence of Officer Villacis communication with escorts.

SOCIAL MEDIA - A SPOKEO check and review of the subject s social media did not yield any information of value. A review of the subject s Facebook page did not uncover any evidence of criminal association.

DICE - This showed that some phone numbers within the subject s phone records were the targets of prior investigations

conducted by the Drug Enforcement Administration. A conferral with the federal investigators was of no investigative value.

NITRO/COBALT - no information of value was gained using these programs.

**Conferrals Conducted:**

Bronx District Attorney - The investigator conferred with the Bronx District Attorney's Public Integrity Office and obtained permission to perform a targeted integrity test on the subject.

Queens District Attorney - The Queens District Attorney did waive criminal prosecution on this case and granted permission for an administrative hearing on the subject.

Drug Enforcement Administration - The investigator conferred with investigators from the DEA who had investigations for human trafficking and organized crime. There was no information that showed our subject officer was involved in criminality.

**Proactive Measures:**

**SURVEILLANCE** - Investigators conducted fifteen surveilla Villacis, including on his days off. The subject regularly drove to prostitution prone locations in Queens, taking an indirect route home. However, at no time did investigators observe any misconduct.

**BUMP** - On October 9, 2017, investigators observed the subject officer in the company of two unknown females during a surveillance of the subject. A lawful car stop was performed under the ruse that investigators were investigating auto larceny. The females were identified as the subject's mother and a friend, [REDACTED] [REDACTED] has no apparent links to prostitution and had no criminal record.

**INTEGRITY TEST** - In July of 2017, Group 52 performed an integrity on Officer Villacis. An undercover sent text two messages to the subject. The first was ignored, and the subject officer replied to the second message asking to be left alone. The test was deemed a PASS by Group 52.

**Other Information of Investigative Value:**

N/A

**Patrol Guide 206-13 Hearings:**

Police Officer Victor Villacis was interviewed as a subject officer on November 30, 2017. He stated that [REDACTED] had accused him of being unfaithful on August 18, 2016, which led to their fight. He stated that she saw messages from a Police Officer [REDACTED] though he stated he had not had a relationship with Officer [REDACTED] and that [REDACTED] was simply a jealous person.

Office Villacis claimed all the phone contact with escorts and prostitutes prior to August 18, 2016 was likely by [REDACTED] since she borrowed his phone. He stated she worked as a babysitter in Long Island, and appeared to not be familiar with the specifics of her employment. He suggested that he suspected her of being involved with escorts and prostitution now that he is aware of the call records. He then explained that the contact with escorts after their separation was him investigating the unknown numbers on his phone. He also claimed to have found websites related to prostitution on his phone which must have been from [REDACTED].

The subject officer stated he never called [REDACTED] again after the arrest. He stated he met her only with counsel, but then stated he did meet her for personal reasons. Officer Villacis had to explain himself at numerous points of the interview with the assistance of his counsel and did not appear to be forthcoming. His statements in the interview concerning the calls to escorts were determined to be misleading.

**Supervisory Deficiencies:**

N/A

**Conclusion:**

On December 5, 2017, five days after his hearing, Officer Villacis resigned from the Police Department. The investigation was ongoing, with a second interview planned by the investigator to address the numerous inconsistencies within the initial interview. Namely, there are numerous calls to prostitutes by the subject after he was separated from [REDACTED]. These new phone numbers were never called prior to his arrest, which contradicts his reasoning that he was investigating [REDACTED]'s calls to escorts.

Additionally, Officer Villacis claimed to have never called [REDACTED] after his arrest on August 18, despite his phone records showing over 93 calls back and forth with [REDACTED]. Officer Villacis also denied using his personal e-mail on work computers, while a web browser audit showed otherwise.

The subject described the nature of his argument with [REDACTED] as having to do with his communication with an Officer Dickson, of the 45th Precinct. A subsequent review of his phone records showed there had not been contact between him and

Officer [REDACTED] for nearly three weeks prior to the argument. The records did corroborate [REDACTED]'s version of events, showing there was contact with a prostitute immediately prior to the argument. The phone number in his call records also matched the number [REDACTED] provided to investigators.

Based on the investigation, it was substantiated that the subject officer did misuse Department computer systems to query himself and family members and that he made misleading statements during an official interview. Charges and Specifications were filed due to the subject's resignation. The remaining allegations were deemed unsubstantiated as there was no evidence to prove or disprove them.

#### Subjects Involved






Name	Status	Sex	Race	Dob
959014 VICTOR VILLACIS POM (045-045 PRECINCT)	UNIFORM MEMBER OF SERVICE	MALE		[REDACTED]

#### Allegations

1	Full Allegation	Classification	Allegation Index	Allegation Date	Finding	Finding Date
	Association, Criminal - Other than Family	Abuse of Dept Regulations	ASSP-Associates Criminals	09/20/2016	12 - Unsubstantiated	12/26/2017
	<b>Comments</b> There was insufficient evidence to prove or disprove that the subject officer knowingly associated with known criminals (escorts).					
2	Full Allegation	Classification	Allegation Index	Allegation Date	Finding	Finding Date
	Vice Prostitution - Patronize	Vice	R-Patronizing Prostitution	11/20/2016	12 - Unsubstantiated	12/26/2017
	<b>Comments</b> There was insufficient evidence to prove or disprove that the subject officer patronized prostitutes.					
3	Full Allegation	Classification	Allegation Index	Allegation Date	Finding	Finding Date
	Computer Misuse -	Abuse of Dept Regulations	COMPMS-Computer Misuse	04/13/2017	07 - Substantiated	12/26/2017
	<b>Comments</b> <div style="background-color: black; height: 40px; width: 100%;"></div> <p>In 2016, the subject officer also did access the complaint which he was listed as a perpetrator for the assault [REDACTED]. This was done on 10/3/16. Then on 12/13/16 the subject officer again accessed the complaint he was listed as a perpetrator on, as well as the arrest report associated with it. He also queried BADS for himself and [REDACTED].</p> <p>Charges and Specifications were preferred for this allegation and is detailed under SPECIFICATION #2.</p> <p>ON 2/5/16 HE VIEWED DEPARTMENT RECORDS FOR HIS [REDACTED] [REDACTED] DATE OF BIRTH: [REDACTED]. THIS WILL BE ADDRESSED IN A LETTER OF INSTRUCTION SINCE IT IS OUTSIDE THE SOL.</p> <p>ON 2/5/16 AND 2/10/16 PO VILLACIS VIEWED DEPARTMENT RECORDS FOR [REDACTED] DOB: [REDACTED]. THIS PERSON IS LISTED AS [REDACTED] ON THE SUBJECT'S APD5. THIS WILL BE ADDRESSED IN A LETTER OF INSTRUCTION SINCE IT IS OUTSIDE THE SOL.</p>					
4	Full Allegation	Classification	Allegation Index	Allegation Date	Finding	Finding Date
	Official Statement - Misleading Statement - PG	Perjury/False Statements	GO15-PG 206-13	12/26/2017	07 - Substantiated	12/26/2017
	<b>Comments</b> On November 30, 2017, while on duty, the subject officer did wrongfully make misleading statements during an official Department Interview with IAB investigators. Police Officer Villacis denied knowingly contacting numerous phone numbers associated with escort services.					
	Charges and Specifications were preferred for this allegation and is detailed under SPECIFICATION #1.					
5	Full Allegation	Classification	Allegation Index	Allegation Date	Finding	Finding Date
	Charges & Specifications -	NOTIFICATION/Additional Information	CS-Charges and Specifications	12/26/2017	04 - Info. and Intelligence	12/27/2017

IAB					
	<b>Comments</b> Charges and Specifications were preferred:  1 Said Probationary Police Officer Victor Villacis, while assigned to the Brooklyn Court Section, on or about November 30, 2017, while on duty, did wrongfully make misleading statements during an official Department Interview, to wit, said Police Officer denied knowingly contacting numerous phone numbers associated with escort services. PG 203-10 PAGE 1, PARA 2(d PUBLIC CONTACT-PROHIBITED CONDUCT  2 Said Probationary Police Officer Victor Villacis, while assigned to the Brooklyn Court Section, on or about and between October 3, 2016, and February 10, 2017, did wrongfully and without just cause utilize Department databases to make inquiries unrelated to the official business of the Department or the City of New York, to wit: Said Probationary Police Officer conducted an inquiry [REDACTED] PG 219-14 PAGE 1 PARA 2 DEPARTMENT COMPUTER SYSTEMS				

# ATTACHMENT

1	 <u>'Letter to complainant'</u>
2	 <u>'Notice of Disposition'</u>
3	 <u>'Request for charges and specs'</u>
4	 <u>'Letter of instruction'</u>
5	 <u>'Endorsed charges and specs/charges preferred UF49'</u>

<b>Reporting Officer:</b>	<b>Rank</b> SGT	<b>Name</b> HO EDWARD		<b>Tax Reg. No.</b> 944270		<b>Command</b> G22-GROUP 22
<b>Reviewing Supervisor:</b>	<b>Manner of Closing</b> C - PARTIALLY SUBSTANTIATED	<b>Date Reviewed</b> 12/29/2017	<b>Date of Next Review</b>	<b>Name</b> SHEA THOMAS		<b>Supv. Tax No.</b> 899848
<b>Endorser:</b>	<b>Rank</b> CPT	<b>Name</b> GIORDANO CHRISTOPHE	<b>Tax Reg. No.</b> 915801	<b>Command</b> G22-GROUP 22	<b>DateTime Reviewed</b> 12/28/2017 08:55	<b>Status</b> Approved
	<b>Comments</b> APPROVED. SUBJECT OFFICER RESIGNED FROM THE DEPARTMENT ON DECEMBER 5, 2017.					
<b>Endorser:</b>	<b>Rank</b> INS	<b>Name</b> SHEA THOMAS	<b>Tax Reg. No.</b> 899848	<b>Command</b> Z01-ZONE 1	<b>DateTime Reviewed</b> 12/29/2017 13:45	<b>Status</b> Approved
	<b>Comments</b> APPROVE CLOSING. CHARGES AND SPECS ISSUED. SUBJECT OFFICER RESIGNED FROM DEPARTMENT.					